



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

FEB 18 2016

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Article Number: 7015 0640 0001 0675 7115

Mr. Rocco Oppedisano, Co-Owner
On Time Ready Mix Inc.
34-16 College Point Blvd
Flushing, New York 11354

**RE: Request for Information (“RFI”) Pursuant to Section 308 of the Clean Water Act
Docket No. CWA-IR-16-009
On Time Ready Mix Inc. – 34-16 College Point Blvd Facility (NYR00D693)
Compliance Evaluation Inspection conducted on February 1, 2016**

Dear Mr. Oppedisano:

The United States Environmental Protection Agency (“EPA”) is charged with the protection of human health and the environment under the Clean Water Act (“CWA” or “Act”), 33 U.S.C. §§ 1251 *et seq.* Section 308(a) of the CWA, 33 U.S.C. § 1318(a), provides that whenever it is necessary to carry out the objectives of the CWA, including determining whether or not a person/agency is in violation of Section 301 of the CWA, 33 U.S.C. § 1311, the EPA shall require the submission of any information reasonably necessary to make such a determination. Under the authority of Section 308 of the CWA, EPA may require the submission of information necessary to assess the compliance status of any facility and its related appurtenances.

REQUEST FOR INFORMATION

On Time Ready Mix Inc. is hereby required, pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a), to submit to EPA the requested information regarding the subject Facility:

1. Within seven (7) calendar days of receipt of this RFI, On Time Ready Mix Inc. shall submit to EPA a signed written statement certifying that On Time Ready Mix Inc. sealed the hole in the north end of the concrete wall at the Facility adjacent to Flushing Creek as described in the enclosed inspection report; and
2. Within thirty (30) calendar days of receipt of this RFI, On Time Ready Mix Inc. shall submit to EPA a written description with photographic documentation of what measures On Time Ready Mix Inc. has taken to address each of the areas of concern noted in the enclosed inspection report. Specifically, measures to remedy the damaged and deteriorating concrete wall located at the southwest corner of the Facility adjacent to Flushing Creek.

Any documents to be submitted by On Time Ready Mix Inc. as part of this Request for Information shall be sent by certified mail or its equivalent and shall be signed by an authorized representative of the respective entity (see 40 CFR § 122.22), and shall include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

All information required to be submitted pursuant to this RFI shall be sent by certified mail or its equivalent to the following address:

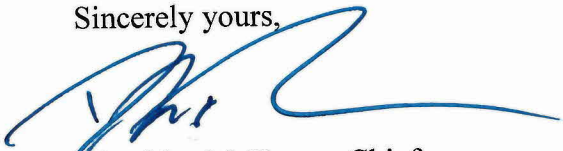
Douglas McKenna, Chief
Water Compliance Branch
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency – Region 2
290 Broadway, 20th Floor
New York, NY 10007-1866

Failure to provide the required information may subject the facility to civil/criminal penalties pursuant to Section 309 of the CWA. Failure to comply with the RFI shall also subject the facility to ineligibility for participation in work associated with Federal contracts, grants or loans.

Enclosed is a copy of the inspection report detailing EPA's findings from the February 1, 2016 inspection at the On Time Ready Mix Inc. Facility located at 34-16 College Point Blvd in Flushing, New York. Also enclosed is a copy of EPA's Small Business Resources Information Sheet.

If you have any questions, please feel free to contact Ms. Kimberly McEathron, of my staff, at (212) 637-4228 or via email at mceathron.kimberly@epa.gov.

Sincerely yours,



Douglas McKenna, Chief
Water Compliance Branch

Enclosures

cc: Joseph DiMura, P.E, Director, Bureau of Water Compliance Programs, NYSDEC w/enclosures
Robert Elburn, Regional Water Engineer, NYSDEC Region 2 w/enclosures



United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> 13 <input type="checkbox"/> 14 <input type="checkbox"/> 15 <input type="checkbox"/> 16 <input type="checkbox"/> 17 <input type="checkbox"/> 18 <input type="checkbox"/> 19 <input type="checkbox"/> 20 <input type="checkbox"/>					
Remarks					
21 <input type="checkbox"/> 22 <input type="checkbox"/> 23 <input type="checkbox"/> 24 <input type="checkbox"/> 25 <input type="checkbox"/> 26 <input type="checkbox"/> 27 <input type="checkbox"/> 28 <input type="checkbox"/> 29 <input type="checkbox"/> 30 <input type="checkbox"/> 31 <input type="checkbox"/> 32 <input type="checkbox"/> 33 <input type="checkbox"/> 34 <input type="checkbox"/> 35 <input type="checkbox"/> 36 <input type="checkbox"/> 37 <input type="checkbox"/> 38 <input type="checkbox"/> 39 <input type="checkbox"/> 40 <input type="checkbox"/> 41 <input type="checkbox"/> 42 <input type="checkbox"/> 43 <input type="checkbox"/> 44 <input type="checkbox"/> 45 <input type="checkbox"/> 46 <input type="checkbox"/> 47 <input type="checkbox"/> 48 <input type="checkbox"/> 49 <input type="checkbox"/> 50 <input type="checkbox"/> 51 <input type="checkbox"/> 52 <input type="checkbox"/> 53 <input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56 <input type="checkbox"/> 57 <input type="checkbox"/> 58 <input type="checkbox"/> 59 <input type="checkbox"/> 60 <input type="checkbox"/> 61 <input type="checkbox"/> 62 <input type="checkbox"/> 63 <input type="checkbox"/> 64 <input type="checkbox"/> 65 <input type="checkbox"/> 66 <input type="checkbox"/> 67 <input type="checkbox"/> 68 <input type="checkbox"/> 69 <input type="checkbox"/> 70 <input type="checkbox"/> 71 <input type="checkbox"/> 72 <input type="checkbox"/> 73 <input type="checkbox"/> 74 <input type="checkbox"/> 75 <input type="checkbox"/> 76 <input type="checkbox"/> 77 <input type="checkbox"/> 78 <input type="checkbox"/> 79 <input type="checkbox"/> 80 <input type="checkbox"/>					
Inspection Work Days	Facility Self-Monitoring Evaluation Rating	BI	QA	Reserved	
67 <input type="checkbox"/> 68 <input type="checkbox"/> 69 <input type="checkbox"/>	70 <input type="checkbox"/>	71 <input type="checkbox"/>	72 <input type="checkbox"/>	73 <input type="checkbox"/> 74 <input type="checkbox"/> 75 <input type="checkbox"/> 76 <input type="checkbox"/> 77 <input type="checkbox"/> 78 <input type="checkbox"/> 79 <input type="checkbox"/> 80 <input type="checkbox"/>	

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) On Time Ready Mix Inc. 34-16 College Point Boulevard Flushing, New York 11354	Entry Time/Date 9:40 AM / 02/01/2016	Permit Effective Date N/A
	Exit Time/Date 10:50 AM / 02/01/2016	Permit Expiration Date N/A
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Rocco Oppedisano, Co-Owner, On Time Ready Mix Inc. 34-16 College Point Boulevard Flushing, New York 11354 Phone: 718-961-3338	Other Facility Data (e.g., SIC NAICS, and other descriptive information) Lat/Long: 41.76433, -73.836525 SIC: 3273	
Name, Address of Responsible Official/Title/Phone and Fax Number Rocco Oppedisano, Co-Owner, On Time Ready Mix Inc. 34-16 College Point Boulevard Flushing, New York 11354 Phone: 718-961-3338	Contacted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/> Permit	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> MS4
<input checked="" type="checkbox"/> Records/Reports	<input type="checkbox"/> Compliance Schedules	<input checked="" type="checkbox"/> Pollution Prevention	
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water	
<input type="checkbox"/> Effluent/Receiving Waters	<input type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments (Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	See attached inspection report.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	

Name(s) and Signature(s) of Inspector(s) Kimberly McEathron	Agency/Office/Phone and Fax Numbers USEPA/DECA-WCB/212-637-4228	Date 2/12/2016
Signature of Management Q A Reviewer	Agency/Office/Phone and Fax Numbers USEPA/DECA-WCB/212-637-4268	Date 2/17/16

INSTRUCTIONS

Section A: National Data System Coding (i.e., PCS)

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. (Use the Remarks columns to record the State permit number, if necessary.)

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

A Performance Audit	U IU Inspection with Pretreatment Audit	! Pretreatment Compliance (Oversight)
B Compliance Biomonitoring	X Toxics Inspection	@ Follow-up (enforcement)
C Compliance Evaluation (non-sampling)	Z Sludge - Biosolids	{ Storm Water-Construction-Sampling
D Diagnostic	# Combined Sewer Overflow-Sampling	} Storm Water-Construction-Non-Sampling
F Pretreatment (Follow-up)	\$ Combined Sewer Overflow-Non-Sampling	: Storm Water-Non-Construction-Sampling
G Pretreatment (Audit)	+ Sanitary Sewer Overflow-Sampling	~ Storm Water-Non-Construction-Non-Sampling
I Industrial User (IU) Inspection	& Sanitary Sewer Overflow-Non-Sampling	< Storm Water-MS4-Sampling
J Complaints	\ CAFO-Sampling	- Storm Water-MS4-Non-Sampling
M Multimedia	= CAFO-Non-Sampling	> Storm Water-MS4-Audit
N Spill	2 IU Sampling Inspection	
O Compliance Evaluation (Oversight)	3 IU Non-Sampling Inspection	
P Pretreatment Compliance Inspection	4 IU Toxics Inspection	
R Reconnaissance	5 IU Sampling Inspection with Pretreatment	
S Compliance Sampling	6 IU Non-Sampling Inspection with Pretreatment	
	7 IU Toxics with Pretreatment	

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

A — State (Contractor)	O — Other Inspectors, Federal/EPA (Specify in Remarks columns)
B — EPA (Contractor)	P — Other Inspectors, State (Specify in Remarks columns)
E — Corps of Engineers	R — EPA Regional Inspector
J — Joint EPA/State Inspectors—EPA Lead	S — State Inspector
L — Local Health Department (State)	T — Joint State/EPA Inspectors—State lead
N — NEIC Inspectors	

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 — Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 — Federal. Facilities identified as Federal by the EPA Regional Office.
- 5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2, DECA-WCB
20th Floor, 290 Broadway, NY, NY 10007

COMPLIANCE EVALUATION INSPECTION REPORT

Compliance Evaluation Inspection: On Time Ready Mix Inc.	
Inspection Date: February 1, 2016	EPA Inspectors: Kimberly McEathron, Physical Scientist, USEPA Region 2, (212) 637-4228; and Cyndy Kopitsky, Physical Scientist, USEPA Region 2, (212) 637-3832
Inspection Time: 9:40 AM – 10:50 AM	
On-Site Representatives: Rocco Oppedisano, Plant Manager/Co-Owner, On Time Ready Mix Inc., (718) 961-3338; and Helen Hu, On Time Ready Mix Inc., (718) 961-3338	
Site Information: Lat / Long: 40.76433, -73.836525 On Time Ready Mix Inc. 34-16 College Point Blvd Flushing, New York 11354 SPDES/ICIS No. NYR00D693	
NAICS/SIC Code: 3273 – Ready-Mixed Concrete	

INTRODUCTION:

On February 1, 2016, the United States Environmental Protection Agency (EPA) conducted a Compliance Evaluation Inspection (CEI) at the On Time Ready Mix Inc. owned and operated facility located at 34-16 College Point Boulevard in Flushing, Queens County, New York ("Facility" or "Site"). Mr. Rocco Oppedisano and Ms. Helen Hu were present at the time of the inspection and represented the Facility. Ms. Kimberly McEathron, of EPA Region 2, led the CEI and conducted a Site walk-through. Weather conditions at the time of the CEI were sunny, dry and approximately 55°F.

On June 3, 2013, On Time Ready Mix Inc. submitted a Notice of Intent and obtained coverage under the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity (SPDES ID No. NYR00D693). On October 20, 2014, On Time Ready Mix Inc. submitted a Notice of Termination which terminated MSGP Permit coverage stating that the Facility discharges to the New York City Department of Environmental Protection (NYCDEP) combined sewer system. In addition, according to Mr. Oppedisano and documentation provided at the time of the inspection, a concrete wall was installed in 2014 along the western edge of the Facility and is designed to retain 100-year storm on-site. According to an email from NYSDEC to the Facility dated September 29, 2014, a representative from the NYSDEC Region 2 Division of Water reviewed the design calculations submitted in support of the zero discharge criteria for exemption from coverage under SPDES MSGP and found it acceptable.

Facility Description

The approximately 0.6 - acre Facility is a ready-mix concrete plant that uses sand, rock, chemicals and cement powder to manufacture ready-mix concrete on-site. In addition, On Time Ready Mix Inc. owns and operates a fleet of vehicles designed to transport raw materials to the Facility and to transport ready-mix concrete to job sites. The Facility operations are classified under Standard Industrial Classification (SIC) Code 3273 – Ready-

Mixed Concrete. According to Mr. Oppedisano, the concrete plant at this location dates back to the 1930's but the current owners (three members of the Oppedisano family) purchased the Facility in 2000. According to Mr. Oppedisano, the Facility currently employs 35 full-time employees. According to Mr. Oppedisano, the Facility is a year-round operation which continues operations during wet weather but jobs and associated production slow down during heavy snow events in the winter.

The Facility includes an office and a maintenance garage with one (1) vehicle bay. According to Mr. Oppedisano and observations at the time of the inspection, On Time Ready Mix Inc. owns twenty (20) mixing trucks, one (1) cement powder truck, four (4) tractor trailers, at least one (1) front end loader and one (1) sweeper. At the time of the inspection, vehicles were also parked across the street on a property on the east side of College Point Boulevard. According to Mr. Oppedisano, this property is leased by On Time Ready Mix Inc. According to Mr. Oppedisano, only light maintenance is performed on the trucks, equipment and vehicles, including work on brakes, lights and horns and excluding oil changes. According to observations at the time of the inspection, the Facility appears to be 100% paved, however, locations under the stock piles and portions of the storage areas could not be observed.

At the time of the inspection, EPA inspector McEathron observed an uncovered dumpster (see photograph DSCN5392.JPG), at least 13 used batteries, and empty 55 gallon drums being stored on and along the concrete wall on the west side of the Facility.

At the time of the inspection, sand and stone stockpiles were located along the northern boundary of the Facility and immediately adjacent to the northern driveway. According to Mr. Oppedisano, stone and sand is delivered on a daily basis and cement powder is delivered multiple loads per day both utilizing On Time Ready Mix Inc. trucks. To unload cement powder, the cement powder truck parks on the west side shoulder of College Point Boulevard and connects a hose from the truck to the Facility's eastern boundary at the sidewalk. A vacuum is then used to remove the cement powder from the truck and into storage bins. At the time of the inspection, cement powder was observed immediately below the hose hook up at the sidewalk in addition to some white residue extending down from the hose to the sidewalk along College Point Boulevard. Liquid chemicals are stored in tanks outside the west side of the building in the center of the Facility. Sand and stone are loaded into a conveyor using a front end loader where the sand and stone are mixed with a specific amount of chemicals and cement powder through an automated process. The produced ready-mix concrete is then loaded onto ready-mix trucks.

According to Mr. Oppedisano, an on-site sweeper is used to sweep the Facility on a daily basis and is also used to sweep the College Point Boulevard in front of the Facility on a weekly basis. Debris collected during the sweeping is stored exposed to stormwater in a stock pile along with the concrete washout material in the center of the Facility at the northwest corner of the building.

According to Mr. Oppedisano, the mechanical boat launch located in the northwest corner of the Facility is utilized for lowering a personal boat into Flushing Creek and that Flushing Creek is not used as part of the Ready-Mixed concrete operations, meaning no barge loading or unloading occurs at the Facility.

Drainage Systems and Stormwater Discharges

The Facility is bordered to the east by College Point Boulevard and to the west by Flushing Creek. At the time of the inspection, EPA observed a concrete wall and metal fence along the southern edge of the Facility on the neighboring property preventing stormwater run on and run off between the two properties.

Discharges to Flushing Creek:

At the time of the inspection, EPA observed a concrete wall approximately thirty (30) inches tall extending along the entire length of the west side of the property along Flushing Creek and around the southwest corner of the property where the wall met up with a concrete wall on the neighboring property. According to Mr. Oppedisano and documentation provided at the time of the inspection, the concrete wall was installed in 2014 and is designed to retain 100-year storm on-site.

At the time of the inspection, EPA observed a hole in the concrete wall at the north end of the Facility with pooling turbid water adjacent to it (see photograph DSCN6177.JPG). Utilizing a camera and metal rod, EPA identified that the hole was deeper than the width of the curb (see photographs DSCN6179.JPG – DSCN6182.JPG). At the time of the inspection, EPA observed water dripping into Flushing Creek from this location along the concrete wall and did not observe water dripping from any other location along the wall indicating that water was likely penetrating the wall from the observed hole (see photograph DSCN6183.JPG).

At the time of the inspection, EPA observed that the concrete wall in the southwest corner was cracked and misaligned into multiple pieces (see photographs DSCN6167.JPG – DSCN6169.JPG and DSCN6172.JPG). EPA did not observe water pooling at or flowing through this location at the time of the inspection. According to Mr. Oppedisano, a barge operating at the Tilcon Facility hit the corner of the wall and damaged it.

Discharges to New York City sewer system:

At the time of the inspection, EPA inspector McEathron observed the operator of the cement powder truck hosing off the truck with water from an adjacent water hose. According to Mr. Oppedisano, the trucks are generally rinsed as needed. The cement powder truck rinse water was pooling along the west side curb of College Point Boulevard and dissipated south of the Facility at the time of the inspection.

At the time of the inspection, EPA inspector McEathron observed mud tracking from the ready-mix concrete loading area onto College Point Boulevard from the truck tires driving through the ponding area on-site.

EPA did not observe any catch basins along the west side of College Point Boulevard in the vicinity or downhill from the Facility. EPA observed catch basins along the east side of College Point Boulevard across the street from the Facility. According to sewer maps and the Long Term Control Plan obtained from NYCDEP, the NYCDEP sewer system located on College Point Boulevard at this location consists of separate sanitary sewer pipes and storm sewer pipes that connect back into the combined sewer system which is covered under SPDES Individual Permit ID No. NY0026239.

Trench Drain and On-Site Ponding:

At the time of the inspection, EPA inspector McEathron observed an open trench drain located along the west side of the Facility running parallel to the east side of the concrete wall. Towards the southern end of the trench drain, the trench drain takes a 90 degree turn towards the east all the way to ready-mix concrete truck loading area. This portion of the trench drain is covered and located underground (see photograph DSCN6142.JPG). According to the Facility representative, there is a four (4) inch pipe located in this portion of the drain where stormwater is carried to a sump pump which pumps stormwater periodically into the ready-mix concrete loading area (see photograph DSCN6141.JPG). According to Facility representatives, the pooling water at this location is utilized for the trucks as part of their industrial process. At the time of the inspection, EPA inspector McEathron observed that the northern section of the trench drain was filled with material. This area is located immediately south of the material stock piles which are likely the source of the material.

AREAS OF CONCERN:

1. At the time of the inspection, EPA observed that the concrete wall in the southwest corner was cracked and misaligned into multiple pieces (see photographs DSCN6167.JPG – DSCN6172.JPG). If future conditions at the Facility or surrounding areas, including but not limited to any additional degradation, erosion or damage to the concrete wall located along the western edge of the Facility or should the NYCDEP complete a sewer separation, where the conditions result in a discharge of stormwater or wastewater from the Facility to Flushing Creek, a water of the United States via a point source, NYSDEC SPDES permit coverage for the Facility is required to be obtained prior to discharging, in accordance with Sections 301 and 402(p) of the Clean Water Act.
2. At the time of the inspection, EPA inspector McEathron observed that the stormwater trench was filled with material, resulting in pooling water at the northern end of the trench (see photographs DSCN6174.JPG – DSCN6178.JPG). The trench drainage system should be kept free of material to ensure proper functioning and drainage of the Facility and to reduce the amount of material carried via stormwater to the ready mix concrete truck loading area.
3. At the time of the inspection, EPA inspector McEathron observed vehicle tracking from the loading area onto College Point Boulevard (see photographs DSCN6162.JPG and DSCN6158.JPG – DSCN6159.JPG). According to Mr. Oppedisano, an on-site sweeper is used to sweep the Facility on a daily basis and is also used to sweep the College Point Boulevard in front of the Facility on a weekly basis, however, the Facility should consider increasing the frequency of sweeping, should document when sweeping is conducted and should implement practices designed to prevent tracking, such as a stone tracking pad.
4. The Facility has a maintenance garage, conducts vehicle maintenance and stores vehicles at the Facility. However, the Facility does not have a spill kit or oil absorbent material on-site in the event of a spill, according to the Facility representative. The Facility should have a spill kit on-site.
5. At the time of the inspection, EPA inspector McEathron observed at least seven (7) used batteries being stored exposed to stormwater on the concrete wall along the western edge of the Facility (see photographs DSCN6143.JPG and DSCN6147.JPG). Batteries should be stored indoors to prevent groundwater or stormwater contamination.
6. At the time of the inspection, cement powder was observed immediately below the hose hook up at the sidewalk in addition to some white residue extending down from the hose to the sidewalk along College Point Boulevard (see photograph DSCN6156.JPG). The Facility should implement practices designed to prevent spilled material and should clean up any spilled material to prevent stormwater from carrying the material down the public right of way.
7. At the time of the inspection, EPA inspector McEathron observed a sand stockpile located in the northeast corner of the Facility which extended onto the driveway towards College Point Boulevard (see photograph DSCN6159.JPG). The Facility should implement practices designed to prevent material from leaving the Facility and should clean up any spilled material to prevent stormwater from carrying the material down the public right of way.

POTENTIAL NON-COMPLIANCE ITEM:

1. At the time of the inspection, EPA inspector McEathron identified the following at the Facility:
 - a. On Time Ready Mix Inc. conducts industrial activity classified under Standard Industrial Classification (SIC) Code 3273 – Ready-Mixed Concrete which falls under Sector E (Glass, Clay,

Cement, Concrete and Gypsum Products), and therefore, is regulated under 40 C.F.R. § 122.26 and NYSDEC SPDES permits;

- b. On October 20, 2014, On Time Ready Mix Inc. terminated coverage for the Facility under the NYSDEC SPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity ("MSGP" or "Permit") and the Facility does not have coverage under an individual SPDES permit; and
- c. Stormwater from events smaller than a 100-year storm would discharge from the Facility directly to Flushing Creek through a hole in the concrete wall along the waterfront (see photographs DSCN6179.JPG – DSCN6183.JPG). NYSDEC and EPA requires facilities to obtain MSGP coverage for point source discharges of stormwater resulting from storm events, including a 100-year storm, in accordance with Sections 301 and 402(p) of the Clean Water Act.

ADDENDUM:

On February 2, 2016, Carla Ragonese of On Time Ready Mix Inc. emailed EPA a photograph and description stating that the hole at the northern end of the concrete wall had been filled in.

ATTACHMENTS:

Photograph Log

Photographs

February 2, 2016 email and photograph from On Time Ready Mix Inc.

PHOTOGRAPH LOG:

Photograph Log – On Time Concrete CEI Unedited Photographs Taken February 1, 2016 by Kimberly McEathron with Nikon Coolpix AW100

DSCN6141.JPG	Trench chamber and pump with hose south of the office
DSCN6142.JPG	Trench along the south side of the office
DSCN6143.JPG	4 batteries exposed to stormwater along the bulkhead and wall
DSCN6144.JPG	Trench along the west side of the facility
DSCN6145.JPG	Trench along the west side of the facility to trench along the south side of the office
DSCN6146.JPG	Trench along the west side of the facility to trench along the south side of the office
DSCN6147.JPG	3 more batteries exposed to stormwater along the bulkhead and wall
DSCN6148.JPG	West side of the facility
DSCN6149.JPG	Drum
DSCN6150.JPG	Washout and spoils pile and maintenance garage
DSCN6151.JPG	Chemical containers west side of office building
DSCN6152.JPG	Concrete truck loading along east side of office building
DSCN6153.JPG	Concrete truck loading along east side of office building
DSCN6154.JPG	South driveway, view facing south
DSCN6155.JPG	Cement powder delivery truck on College Point Blvd
DSCN6156.JPG	Close up of cement powder hook up with some powder visible
DSCN6157.JPG	Cement powder tanks
DSCN6158.JPG	Cement powder truck
DSCN6159.JPG	Sand pile, north driveway, view facing north
DSCN6160.JPG	Sand and stone piles along north side of facility
DSCN6161.JPG	Parking area across the street
DSCN6162.JPG	Truck loading area
DSCN6163.JPG	Sand and stone piles along north side of facility
DSCN6164.JPG	Sweeper
DSCN6165.JPG	Dumpster in southwest corner of facility
DSCN6166.JPG	Drums
DSCN6167.JPG	Southwest corner of concrete wall with cracks
DSCN6168.JPG	Southwest corner of concrete wall with cracks
DSCN6169.JPG	Southwest corner of concrete wall with cracks
DSCN6170.JPG	Southwest corner of concrete wall with cracks
DSCN6171.JPG	Southwest corner of concrete wall with cracks
DSCN6172.JPG	Southwest corner of concrete wall with cracks
DSCN6173.JPG	6 additional batteries outdoors exposed to stormwater
DSCN6174.JPG	Trench filled with solids and liquids
DSCN6175.JPG	Trench filled with solids and liquids
DSCN6176.JPG	West side wall facing north
DSCN6177.JPG	Filled in trench adjacent to stone pile and hole in concrete curb
DSCN6178.JPG	Manhole covered
DSCN6179.JPG	Close up of hole in concrete curb with light visible
DSCN6180.JPG	Close up of hole in concrete curb with light visible
DSCN6181.JPG	Metal rod in hole
DSCN6182.JPG	Metal rod showing depth of hole
DSCN6183.JPG	Water dripping from other end of hole into Creek



DSCN6141



DSCN6142



DSCN6143



DSCN6144



DSCN6145



DSCN6146



DSCN6147



DSCN6148



DSCN6149



DSCN6150



DSCN6151



DSCN6152

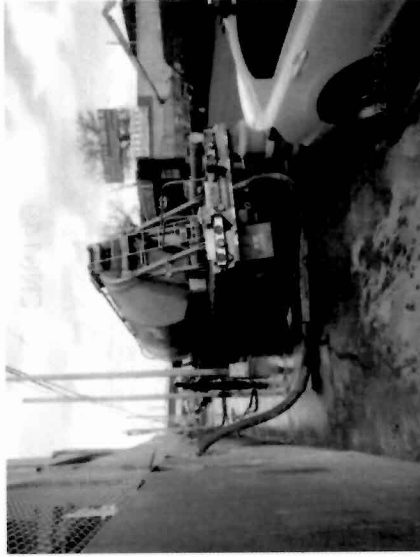
On Time Ready Mix, Inc. CEI Conducted 2/1/2016



DSCN6153



DSCN6154



DSCN6155



DSCN6156



DSCN6157



DSCN6158



DSCN6159



DSCN6160



DSCN6161



DSCN6162



DSCN6163



DSCN6164



DSCN6165



DSCN6166



DSCN6167



DSCN6168

On Time Ready Mix, Inc. CEI Conducted 2/1/2016



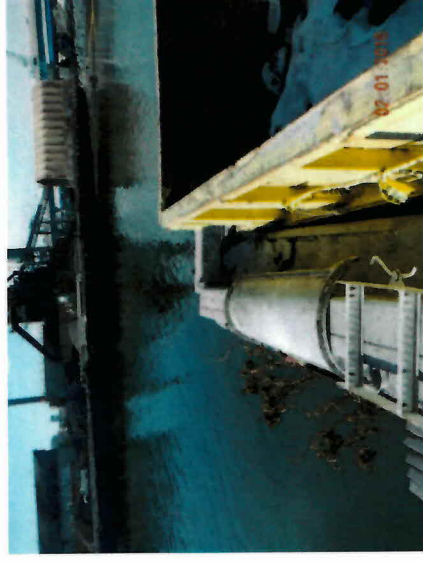
DSCN6169



DSCN6170



DSCN6171



DSCN6172

On Time Ready Mix, Inc. CEI Conducted 2/1/2016



DSCN6173

On Time Ready Mix, Inc. CEI Conducted 2/1/2016



DSCN6174



DSCN6175



DSCN6176

On Time Ready Mix, Inc. CEI Conducted 2/1/2016



DSCN6177



DSCN6178



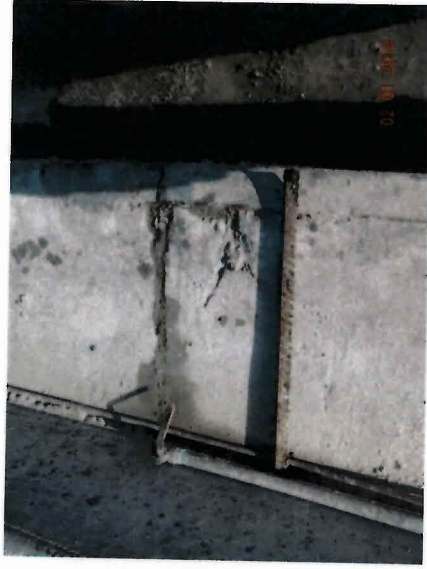
DSCN6179



DSCN6180



DSCN6181



DSCN6182



DSCN6183

On Time Ready Mix, Inc. CEI Conducted 2/1/2016



Mceathron, Kimberly

From: info@ontimereadymix.com
Sent: Tuesday, February 02, 2016 12:07 PM
To: Kopitsky, Cyndy; Mceathron, Kimberly
Subject: ON TIME READY MIX
Attachments: image1.jpeg

Good Afternoon,

As per your conversation with Rocky please see attached picture of the whole that was filled as per your request. If you have any questions please do not hesitate to call the office at 718-961-3338 ext 2.

Thank You in advance.

Regards,

Carla Ragonese

Michael, Kimberly

From:

Sent:

To:

Subject:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:

Attachment:



